

Notice of Allowability

Application No.

09/659,551

Examiner

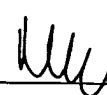
Pierre E. Elisca

Applicant(s)

ECHIZEN ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

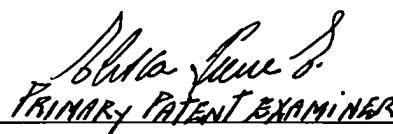
1. ☒ This communication is responsive to 5/11/2004.
2. ☒ The allowed claim(s) is/are 25-47.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


PRIMARY PATENT EXAMINER

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REASONS FOR ALLOWANCE

1. This is an Examiner's statement of reasons for allowance. The closest prior art Stefik et al U.S. Pat. No. 6,233,684 discloses a trusted rendering system for use in a system for controlling the distribution and use of digital work.

Yoshida et al JP02000156781A discloses a digital watermark imbedding device, illegality detector and computer-readable storage medium.

However, neither Yoshida nor Stefik singularly or in combination fails to anticipate or render obvious the recited feature:

As per claims 1, 9, 14, and 18 " wherein the contents data comprises a plurality of portions, and control information specifying predetermined filtering for a predetermined portion has been embedded in the contents data as a digital watermark; retaining level information in a terminal involved in the reproducing or distributing of the contents data; deciding how to execute the predetermined filtering for the predetermined portion of the contents data based on the extracted control information and the obtained level information; filtering the predetermined portion of the contents data according to the decision; and reproducing or distributing the contents data with the filtered predetermined portion and at least one unfiltered portion".

As per claims 8, 17, and 23 " wherein the contents data comprises a plurality of portions, and control information specifying predetermined filtering for a predetermined portion has been embedded in the contents data as a digital watermark; extracting the control information from the contents data, wherein the control information includes one or more items of level information for

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determining whether the predetermined filtering is to be applied to the predetermined portion of the contents data; and the level information comprises information about a maximum number of times the contents are replayed; deciding how to execute the predetermined filtering for the predetermined portion of the contents data based on the extracted control information, wherein the deciding step comprises determining whether the predetermined filtering is applied to a specific portion of the contents based on one or more items of the level information included in the control information; filtering the predetermined portion of the contents data according to the decision; and reproducing or distributing the contents data with the filtered predetermined portion and at least one unfiltered portion”.

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre E. Elisca whose telephone number is 703 305-3987. The examiner can normally be reached on 6:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703 305-9769. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Pierre Eddy Elisca

Primary Patent Examiner

June 30, 2004